S T A T E O F N E W Y O R K

1693

2009-2010 Regular Sessions

I N A S S E M B L Y

January 9, 2009

Introduced by M. of A. DINOWITZ, GREENE, KELLNER -- Multi-Sponsored by -- M. of A. ALFANO, BARRA, COLTON, WALKER -- read once and referred to the Committee on Banks

AN ACT to amend the banking law, in relation to ensuring that account numbers are not printed on receipts from banks

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The banking law is amended by adding a new section 9-v to read as follows:

S 9-V. BANK RECEIPTS; PRINTING OF COMPLETE ACCOUNT NUMBERS PROHIBITED. 1. NO BANK, CREDIT UNION, TRUST COMPANY, SAVINGS BANK, OR STATE OR FEDERAL SAVINGS AND LOAN ASSOCIATION HAVING AS ITS PURPOSE OR AMONG ITS PURPOSES THE CONDUCTING OF FINANCIAL TRANSACTIONS WITH CUSTOMERS, INCLUDING BUT NOT LIMITED TO WITHDRAWALS AND DEPOSITS, SHALL PRINT UPON ANY RECEIPT PROVIDED TO THE CUSTOMER MORE THAN THE LAST FIVE DIGITS OF ANY BANK ACCOUNT OR MORE THAN THE LAST FIVE DIGITS OF THE CHARGE, CREDIT OR DEBIT CARD ACCOUNT NUMBER USED IN A TRANSACTION.

2. THIS SECTION SHALL APPLY ONLY TO RECEIPTS THAT ARE ELECTRONICALLY PRINTED AND SHALL NOT APPLY TO TRANSACTIONS IN WHICH THE SOLE MEANS OF RECORDING THE CUSTOMER'S ACCOUNT NUMBER IS BY HANDWRITING.

3. THE PROVISIONS OF THIS SECTION SHALL APPLY TO ALL BANK MACHINES OR OTHER DEVICES WHICH ELECTRONICALLY PRINT RECEIPTS FOR FINANCIAL TRANSACTIONS, INCLUDING AUTOMATED TELLER MACHINES AS DEFINED IN SECTION SEVENTY-FIVE-B OF THIS CHAPTER, THAT ARE PLACED IN SERVICE ON OR AFTER JANUARY FIRST, TWO THOUSAND TEN.

4. FOR ALL BANK MACHINES OR OTHER DEVICES THAT ELECTRONICALLY PRINT RECEIPTS FOR FINANCIAL TRANSACTIONS IN SERVICE PRIOR TO JANUARY FIRST, TWO THOUSAND TEN, THE PROVISIONS OF THIS SECTION SHALL NOT APPLY UNTIL JANUARY FIRST, TWO THOUSAND THIRTEEN.

5. A BANK, CREDIT UNION, TRUST COMPANY, SAVINGS BANK, OR STATE OR FEDERAL SAVINGS AND LOAN ASSOCIATION WHO VIOLATES THIS SECTION SHALL BE

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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GIVEN NOTICE WITH SPECIFICITY OF SUCH VIOLATION AND BE GRANTED TWO WEEKS TO CORRECT SUCH VIOLATION IN ITS ENTIRETY. IF SUCH VIOLATION IS NOT CORRECTED IN ITS ENTIRETY AT THE END OF SUCH TWO-WEEK PERIOD, THE VIOLATION SHALL BE PUNISHABLE BY A CIVIL PENALTY OF FIVE HUNDRED DOLLARS, AND THE VIOLATOR SHALL BE GRANTED AN ADDITIONAL ONE WEEK IN WHICH TO CORRECT SUCH VIOLATION IN ITS ENTIRETY. IF SUCH VIOLATION IS NOT CORRECTED IN ITS ENTIRETY AT THE END OF SUCH ONE-WEEK PERIOD, SUCH VIOLATION SHALL BE PUNISHABLE BY A CIVIL PENALTY OF ONE THOUSAND DOLLARS PER WEEK UNTIL SUCH VIOLATION IS CORRECTED IN ITS ENTIRETY. THE AGGREGATE PENALTIES IMPOSED ON A BANK, CREDIT UNION, TRUST COMPANY, SAVINGS BANK, OR STATE OR FEDERAL SAVINGS AND LOAN ASSOCIATION FOR VIOLATIONS OF THIS SECTION SHALL NOT EXCEED FOUR THOUSAND FIVE HUNDRED DOLLARS FOR VIOLATIONS OCCURRING ON THE SAME PREMISES.

S 2. This act shall take effect January 1, 2010.